

HOUSE BILL 801

K4

2lr2885
CF SB 880

By: **Delegates Griffith, Bohanan, Clagett, Haynes, Proctor, B. Robinson, Sophocleus, and Zucker**

Introduced and read first time: February 9, 2012

Assigned to: Appropriations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: March 18, 2012

CHAPTER _____

1 AN ACT concerning

2 **State Retirement and Pension System – Transfer of Members Between**
3 **Systems**

4 FOR the purpose of providing that if an individual who was a member of one of the
5 several systems in the State Retirement and Pension System on a certain date
6 becomes a member of another one of the several systems on or after a certain
7 date, the individual shall be considered to be a new member of the subsequent
8 system as of a certain date, ~~but is subject to certain requirements that were in~~
9 ~~place for the subsequent system on a certain date, and is subject to the same~~
10 requirements to which an individual who was a member of the subsequent
11 system on a certain date and remains a member on a certain date is subject;
12 providing for the application of this Act; and generally relating to the transfer of
13 members between the State retirement and pension systems on or after a
14 certain date.

15 BY adding to
16 Article – State Personnel and Pensions
17 Section 23–215.2, 24–208, 25–207, and 26–207
18 Annotated Code of Maryland
19 (2009 Replacement Volume and 2011 Supplement)

20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
21 MARYLAND, That the Laws of Maryland read as follows:

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 Article – State Personnel and Pensions

2 23–215.2.

3 IF AN INDIVIDUAL WAS A MEMBER OF ANY ONE OF THE SEVERAL SYSTEMS
4 ON JUNE 30, 2011, AND WITHOUT INCURRING A BREAK IN ~~SERVICE~~
5 EMPLOYMENT OF MORE THAN 30 DAYS, BECOMES A MEMBER OF THE
6 EMPLOYEES' PENSION SYSTEM OR THE TEACHERS' PENSION SYSTEM ON OR
7 AFTER JULY 1, 2011, THE INDIVIDUAL:

8 (1) SHALL BE CONSIDERED TO BE A NEW MEMBER OF THE
9 EMPLOYEES' PENSION SYSTEM OR THE TEACHERS' PENSION SYSTEM AS OF
10 THE DATE THE INDIVIDUAL JOINS THE SYSTEM, ~~BUT; AND~~

11 (2) IS SUBJECT TO THE SAME REQUIREMENTS ~~THAT WERE IN~~
12 ~~PLACE FOR THE EMPLOYEES' PENSION SYSTEM OR THE TEACHERS' PENSION~~
13 ~~SYSTEM ON JUNE 30, 2011, INCLUDING EMPLOYEE CONTRIBUTION RATES,~~
14 ~~ELIGIBILITY REQUIREMENTS, AND VESTING REQUIREMENTS~~ TO WHICH AN
15 INDIVIDUAL WHO WAS A MEMBER OF THE EMPLOYEES' PENSION SYSTEM OR
16 THE TEACHERS' PENSION SYSTEM ON JUNE 30, 2011, AND REMAINS A MEMBER
17 ON JULY 1, 2011, IS SUBJECT.

18 24–208.

19 IF AN INDIVIDUAL WAS A MEMBER OF ANY ONE OF THE SEVERAL SYSTEMS
20 ON JUNE 30, 2011, AND WITHOUT INCURRING A BREAK IN ~~SERVICE~~
21 EMPLOYMENT OF MORE THAN 30 DAYS, BECOMES A MEMBER OF THE STATE
22 POLICE RETIREMENT SYSTEM ON OR AFTER JULY 1, 2011, THE INDIVIDUAL:

23 (1) SHALL BE CONSIDERED TO BE A NEW MEMBER OF THE STATE
24 POLICE RETIREMENT SYSTEM AS OF THE DATE THE INDIVIDUAL JOINS THE
25 SYSTEM, ~~BUT; AND~~

26 (2) IS SUBJECT TO THE SAME REQUIREMENTS ~~THAT WERE IN~~
27 ~~PLACE FOR THE STATE POLICE RETIREMENT SYSTEM ON JUNE 30, 2011,~~
28 ~~INCLUDING EMPLOYEE CONTRIBUTION RATES, ELIGIBILITY REQUIREMENTS,~~
29 ~~AND VESTING REQUIREMENTS~~ TO WHICH AN INDIVIDUAL WHO WAS A MEMBER
30 OF THE STATE POLICE RETIREMENT SYSTEM ON JUNE 30, 2011, AND REMAINS
31 A MEMBER ON JULY 1, 2011, IS SUBJECT.

32 25–207.

33 IF AN INDIVIDUAL WAS A MEMBER OF ANY ONE OF THE SEVERAL SYSTEMS
34 ON JUNE 30, 2011, AND WITHOUT INCURRING A BREAK IN ~~SERVICE~~

1 EMPLOYMENT OF MORE THAN 30 DAYS, BECOMES A MEMBER OF THE
2 CORRECTIONAL OFFICERS' RETIREMENT SYSTEM ON OR AFTER JULY 1, 2011,
3 THE INDIVIDUAL:

4 (1) SHALL BE CONSIDERED TO BE A NEW MEMBER OF THE
5 CORRECTIONAL OFFICERS' RETIREMENT SYSTEM AS OF THE DATE THE
6 INDIVIDUAL JOINS THE SYSTEM, ~~BUT; AND~~

7 (2) IS SUBJECT TO THE SAME REQUIREMENTS THAT WERE IN
8 PLACE FOR THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM ON JUNE 30,
9 2011, INCLUDING EMPLOYEE CONTRIBUTION RATES, ELIGIBILITY
10 REQUIREMENTS, AND VESTING REQUIREMENTS TO WHICH AN INDIVIDUAL WHO
11 WAS A MEMBER OF THE CORRECTIONAL OFFICERS' RETIREMENT SYSTEM ON
12 JUNE 30, 2011, AND REMAINS A MEMBER ON JULY 1, 2011, IS SUBJECT.

13 26-207.

14 IF AN INDIVIDUAL WAS A MEMBER OF ANY ONE OF THE SEVERAL SYSTEMS
15 ON JUNE 30, 2011, AND WITHOUT INCURRING A BREAK IN ~~SERVICE~~
16 EMPLOYMENT OF MORE THAN 30 DAYS, BECOMES A MEMBER OF THE LAW
17 ENFORCEMENT OFFICERS' PENSION SYSTEM ON OR AFTER JULY 1, 2011, THE
18 INDIVIDUAL:

19 (1) SHALL BE CONSIDERED TO BE A NEW MEMBER OF THE LAW
20 ENFORCEMENT OFFICERS' PENSION SYSTEM AS OF THE DATE THE INDIVIDUAL
21 JOINS THE SYSTEM, ~~BUT; AND~~

22 (2) IS SUBJECT TO THE SAME REQUIREMENTS THAT WERE IN
23 PLACE FOR THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM ON JUNE 30,
24 2011, INCLUDING EMPLOYEE CONTRIBUTION RATES, ELIGIBILITY
25 REQUIREMENTS, AND VESTING REQUIREMENTS TO WHICH AN INDIVIDUAL WHO
26 WAS A MEMBER OF THE LAW ENFORCEMENT OFFICERS' PENSION SYSTEM ON
27 JUNE 30, 2011, AND REMAINS A MEMBER ON JULY 1, 2011, IS SUBJECT.

28 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be
29 construed to apply retroactively and shall be applied to and interpreted to affect
30 individuals who were members of one of the several systems on June 30, 2011, and
31 became members of another one of the several systems on or after July 1, 2011.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
33 July 1, 2012.